



City Council Agenda

Council President
Henry Perea

Councilmembers

Tom Boyajian
Brian Calhoun
Brad Castillo

Jerry Duncan
Sal Quintero
Daniel Ronquillo, Acting President

City Manager
Daniel G. Hobbs

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

APRIL 17, 2001

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.ci.fresno.ca.us). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

8:30 A.M. ROLL CALL

JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Approve Agency minutes of April 3, 2001

Action Taken:

AGENCY GENERAL ADMINISTRATION

- A.** Receive report regarding a proposal from Zahra Properties to construct a multi-level parking facility on Agency-owned property within proximity to the Guarantee Building (1171 Fulton Mall) in the Central Business District Redevelopment Project Area, and provide Agency staff and City Manager with further direction (*Council and Agency action*)
Action Taken:
- B.** Authorize the addition of a Program Coordinator/Grant Writer position to the Agency's staff complement - Member Perea (*Agency action*)
Action Taken:
1. Define specific grant writer priorities and deadlines
Action Taken:

JOINT MEETING WITH THE REDEVELOPMENT AGENCY

AGENCY GENERAL ADMINISTRATION

- C. Consider direction to the Redevelopment Agency to pave surface parking Agency-owned property at Fresno and Broadway Streets (Parcel 61), more commonly known as the “kidney-shaped” lot in the Central Business District Redevelopment Project Area (*Agency action*)
Action Taken:
- D. Approve purchase at re-appraised value, of property at 221 N. Howard within Phase II of the Regional Medical Center Project in the Jefferson Redevelopment Project Area (*Agency action*)
Action Taken:

ADJOURN AGENCY

9:00 A.M. ROLL CALL

Invocation by Vahan Gosdanian of the Holy Trinity Armenian Apostolic Church

Pledge of Allegiance to the Flag

Proclamation of “EARTH WEEK”

Resolution of Commendation to the Faculty and Students of the Viticulture and Enology Research Center Department of California State University, Fresno - Councilmember Castillo

Proclamation of “PASTOR JEROME E. JACKSON DAY” - Councilmember Boyajian

Student Recognition for Public School Month - Council President Perea

COUNCIL ACTION ON UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

****ITEMS SUBJECT TO MAYOR’S VETO OR RECONSIDERATION***

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve minutes of April 3, 2001

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

9:45 A.M. Update Council on Health and Welfare Trust's response to Council's request to reduce \$1.37 million arbitration award - Council President Perea

Action Taken:

a. * RESOLUTION - 113th amendment to AAR No. 2000-183 appropriating \$1,363,000 to pay for health and welfare trust cost increases (*Requires 5 affirmative votes*)

Action Taken:

10:00 A.M. **HEARING** to consider Rezoning Application No. R-01-004 and environmental findings, filed by Carl Gatto, for approximately 3,125 square feet of property located at 3111 E. Illinois Avenue
(Property located in District 7)

Action Taken:

a. Consider and adopt Categorical Exemption for Environmental Assessment No. R-01-004, dated March 28, 2001

Action Taken:

b. **BILL** - Amending the Official Zone Map to rezone property from the C-5 zone district to R-1 zone district

Action Taken:

10:30 A.M. **RESOLUTION** - Authorizing the City Manager to execute Memorandum of Understanding (MOU) with the Fresno Metropolitan Flood Control District regarding NPDES permit for Fresno-Clovis municipal storm water - Public Works Dept.

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

11:15 A.M. Appearance by the Macias Consulting Group, Inc., to report on the evaluation and assessment of the City of Fresno

Action Taken:

2:00 P.M.#1 **DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)**

2:00 P.M.#2 **CLOSED SESSION**

1. CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6

City Negotiator(s): Jorge Aguiniga, Andrew T. Souza and Matthew Gargiulo

Employee Organization(s):

- a.** City of Fresno Management Employees Association (CFMEA)
- b.** City of Fresno Professional Employees Association (CFPEA)
- c.** Fresno Police Officers Association - Police Management (FPOA)
- d.** International Brotherhood of Electrical Workers, Local 100 (IBEW)
- e.** Stationary Engineers, Local 39 (Local 39)
- f.** Amalgamated Transit Union, Local 1027 (ATU)
- g.** Fresno Airport Peace Officers/Firefighters Association (FAPOFA)

Action Taken:

2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Govt. Code Section 54956.9, Subdivision (a)

- a.** **Case Name:** Fresno City Employees Association (FCEA) v. City of Fresno

Action Taken:

1A. GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)

- 1.** Consider approving request for conflict of interest waiver requested by the law firm of Sagaser, Franson & Jones, regarding City of Fresno v. PR Farms, et al (Sugar Pine Trail Quiet Title Action), Case No. 01-CD-CG-00675 - City Attorney's Office

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1A. **GENERAL CONSENT CALENDAR CONTINUED**

2. Award a contract to furnish and install wellsite improvements at Pump Station 159 - Dept. of Admin. Services/Purchasing Division
Action Taken:
3. Award a contract for purchase of two (2) new rotary turf mowers - Dept. of Admin. Services/Purchasing Division
Action Taken:
4. **RESOLUTION** - Approving the Service Provider Agreement between Marjaree Mason Center, Inc. and the City of Fresno through the Fresno Police Department - Police Department
Action Taken:
5. Award a contract for sanitary sewer rehabilitation by method of cured in place pipe - Dept. of Admin. Services/Purchasing Division
Action Taken:
6. Accept a contract with the Public Health Service, U.S. Department of Health and Human Services, for the development of a Metropolitan Medical Response System (MMRS) - Fire Department
Action Taken:
 - a. * **RESOLUTION** - 118th amendment to AAR No. 2000-183 appropriating \$60,000 received from Public Health Service, U.S. Department of Health and Human Services for the first and second funding installments for the development of a Metropolitan Medical Response System (***Requires 5 affirmative votes***)
Action Taken:
7. Authorize the Chief of Police to execute an agreement with the Office of Traffic Safety to receive \$197,522 for the "Keep all Occupants Safe" (KAOS) grant - Police Department
Action Taken:
 - a. * **RESOLUTION** - 119th amendment to AAR No. 2000-183 appropriating \$8,900 of "Keep All Occupants Safe" (KAOS) grant funds to cover the cost of a Community Service Officer II position from April 1, 2001 to June 30, 2001 (***Requires 5 affirmative votes***)
Action Taken:
 - b. * **RESOLUTION** - 20th amendment to PAR No. 2000-184 adding a Community Service Officer II position to the Police Department
Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

GENERAL CONSENT CALENDAR CONTINUED

8. Authorize the Chief of Police to execute an agreement with the Office of Traffic Safety to receive \$190,925 for the "Remove Alcohol Impaired Drivers" (RAID) Grant - Police Department
Action Taken:
- a. * **RESOLUTION** - 120th amendment to AAR No. 2000-183 appropriating \$52,700 of "Remove Alcohol Impaired Drivers" (RAID) grant funds (*Requires 5 affirmative votes*)
Action Taken:
9. * **RESOLUTION** - 107th amendment to AAR No. 2000-183 transferring \$75,100 of post contingency funds to the training account for officer training (*Requires 5 affirmative votes*)
Action Taken:
10. Approve purchase of street easement at the northwest corner of Ashlan and Cornelia - Public Works Dept./Engineering Division
Action Taken:
11. Approve purchase of easements for two (2) parcels in the Shaw and Blackstone Avenues intersection project - Public Works Dept./Engineering Division
Action Taken:
12. Approve purchase of street easement from property at 6732 N. Carruth for improvements to Fruit Avenue - Public Works Dept/Engineering Division
Action Taken:
13. Authorize the City Manager to enter into a parking agreement with the County of Fresno to provide 240 parking stalls exclusively for juror parking on Garage No. 7 located at the intersection of Van Ness Avenue and Inyo Street - Public Works Dept./Traffic Engineering
Action Taken:
14. Approve land lease between the City of Fresno and Aramark Uniform & Career Apparel, Inc. consented to and approved by CCA Silband/GolfCorp dba Airways Municipal Golf Course (regarding groundwater remediation) - Airports Department
Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1A. GENERAL CONSENT CALENDAR CONTINUED

- 15. RESOLUTION** - Authorizing submittal of a Land and Water Conservation Fund Program Grant Application for Holmes playground children's play equipment, picnic tables, benches and barbeques - Parks, Recreation and Community Services
Action Taken:
- 16. * RESOLUTION** - 381st amendment to MFS No. 80-420 to amend rental rates at Camp Fresno and Camp Fresno Junior - Parks, Recreation and Community Services
Action Taken:
- 17. RESOLUTION** - Authorizing an application to the Department of Conservation, Division of Recycling for grant funds to educate residents regarding beverage container recycling and litter prevention - Dept. of Public Utilities
Action Taken:
- 18. * RESOLUTION** - 127th amendment to AAR No. 2000-183 appropriating \$2,100 of District 5's general fund infrastructure to fund Convention Center expenses related to the B'Nai B'Rith event - Councilmember Quintero (*Requires 5 affirmative votes*)
Action Taken:
- 19.** Approval of California Technology, Trade and Commerce Retail Warehouse Infrastructure Grant for the closing of existing outfalls and drainage facilities and the development of infrastructure to convey storm water from Basin "T" to Basin "BU" - City Manager's Office
Action Taken:

1B. CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS

1C. CONSENT CALENDAR - BILL FOR ADOPTION - BLUE TABS

2. PLANNING AND ZONING ADMINISTRATION

- A. BILL NO. B-45 - (Intro. 4/3/2001) (For adoption)** - Consider correction of Ordinance for Rezoning Application No. R-97-30 relating to the proposed commercial recreation project located northeast of N. Cedar and E. Dakota Avenues (**Property located in District 4**)
Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

3. **GENERAL ADMINISTRATION**

- A. Approve appointment of David Houck to the Human Relation Commission (***For adoption***) - Mayor Autry
Action Taken:
- B. * **BILL NO. B-38 - (Intro. 4/3/2001) (For adoption)** - Amending Subsection (b) of Section 9-201 and adding Section 9-208.2 to the Fresno Municipal Code relating to animals at large
Action Taken:
- C. * **BILL NO. B-42 - (Intro. 4/3/2001) (For adoption)** - Amending Sections 9-802, 9-804, 9-805, 9-804.5, 9-807, 9-809(b), 9-810(d), 9-811 and 9-812 of the Fresno Municipal Code relating to public nuisances - City Attorney's Office
Action Taken:
- D. * **BILL NO. B-39 - (Intro. 4/3/2001) (For adoption)** - Amending Subsection (d) of Section 8-305 of the Fresno Municipal Code relating to noise regulation - City Manager's Office
Action Taken:

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. Status of graffiti in Fresno - Police Department and Dept. of Housing and Neighborhood Revitalization (Councilmember Calhoun)
Action Taken:
- B. Direct staff to return with interim urgency ordinance pending completion and adoption of Zoning Ordinances requiring conditional use permits for the sale of alcoholic beverages - Council President Perea (***Requires 5 affirmative votes***)
Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

SCHEDULED COUNCIL HEARINGS AND MATTERS

- Apr. 24 - 10:00 A.M. HEARING** re: vacation of the C-99 alley between Stanislaus and Tuolumne - R.I. 1021-D
- Apr. 24 - 10:30 A.M.** Presentation of Employee Service Awards (*Reception immediately following*)
- Apr. 24 11:15 A.M. JOINT HEARING WITH RDA/** re: Lincoln Heights Property
- Apr. 24 - 2:30 P.M.** Presentation by Caltrans regarding Route 65
- Apr. 24 - 3:00 P.M.** Presentation by Allison Larsen from the Economic Development Corporation - Councilmember Castillo
- Apr. 24 - 5:00 P.M. HEARING -** Initial consideration of resolution naming Tuolumne Blvd. from Freeway 99 to Cesar Chavez Adult School to Cesar Chavez Boulevard - Mayor Autry
- May 1 - 9:00 A.M.** Presentation of P.R.I.D.E. Team Certificates for the Spring Quarter (*Reception immediately following*)
- May 1 - 9:45 A.M.** City's designation of fuel path as required by California Air Resources Board Fleet Rule for Transit Agencies
- May 1 - 5:00 P.M.** Adoption of resolution renaming Tuolumne Blvd. from Freeway 99 to Cesar Chavez Adult School to Cesar Chavez Boulevard - Mayor Autry
- May 8 - 10:00 A.M. HEARING** re: CDF #2, Annexation No. 27, Tract Nos. 4964 and 4995
- May 8 - 10:15 A.M. HEARING** re: Rezone Appl. No. R-01-112, filed by Aaron Lucas
- May 15 - 10:00 A.M. HEARING** re: Rezone Appl. No. R-01-006, filed by the Roberts Family Trust, property located on the S/W corner of W. Barstow and N. Valentine Avenues
- May 15 10:15 A.M. HEARING** on vacation of Main Street between "O" and "P" Streets a portion of Kern Street between "O" and "P" Street for the Federal Courthouse Project R.I. No. 1005-D
- May 15 10:30 A.M.** Presentation of FY 2002 proposed budget by Mayor Autry

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***